

BEFORE THE  
CALIFORNIA BOARD OF ACCOUNTANCY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition for  
Reinstatement of:

WILLIAM JOHN MATTILA  
Trabuco Canyon, California

Certified Public Accountant  
Certificate No. 46705

Petitioner.

Case No. AC-2007-37

SI-2010-28

OAH No. 2010070262

**DECISION**

This matter was heard on July 28, 2010, before a quorum of the California Board of Accountancy in Sacramento, California, Manuel Ramirez, CPA, President, presiding. Deidre L. Johnson, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, presided over the hearing and sat with the Board during its deliberations but did not participate in the decision.

Scott Harris, Deputy Attorney General, represented the Attorney General's Office and appeared pursuant to Government Code section 11522.

Petitioner William John Mattila (petitioner) was present and represented himself.

**FACTUAL FINDINGS**

1. The California Board of Accountancy (Board) issued CPA Certificate No. 46705 to petitioner on December 5, 1986. The certificate was last renewed on April 7, 2007, through October 31, 2008.

2. The Board filed and served an Accusation against petitioner on August 14, 2007, bearing Board Case No. AC-2007-37. Petitioner defaulted and did not file a request for a hearing. On November 26, 2007, the Board filed a Default Decision and Order. Effective on December 26, 2007, the Board issued the document as its final Decision and revoked petitioner's certified public accountant (CPA) certificate.

3. The Board's December 2007 Decision based the revocation of petitioner's license on six specified charges in the Accusation, summarized as follows: (a) for the tax year 2005, gross negligence and repeated acts of negligence for not preparing income tax returns for three clients, including an extension for one of them; (b) breach of fiduciary duty based on the matters in subsection (a) above; (c) and (d) failure to return the clients' 2005 tax records despite repeated requests as required by law; (e) failure to respond to multiple Board inquiries; and (f) preparing income tax returns under the firm name of "Mattila and Associates, Inc." which was not registered with the Board as required by law.

4. On April 12, 2010, petitioner signed his Petition for Reinstatement of Revoked Certificate, which was submitted to the Board from his attorney by letter dated April 23, 2010. The petition package included 11 letters of reference and certified that petitioner has not been convicted of any crime or been disciplined by any other regulatory agency. In the petition, petitioner explained, and established at hearing, that he had been ill during the 2005 time period and was not aware that his clients had not been taken care of until he received the Decision revoking his license.

5. During at least 2005 and 2006, petitioner suffered a lengthy period of depression, but he did not believe in "depression" or understand what was wrong with him until he went into a physician's care in March 2006, and was diagnosed with clinical depression. Prior to that time, petitioner's father had passed away in 1999, and his marriage failed in 2005. Petitioner attempted to take care of his business by arranging for a staff employee and a CPA to handle the day-to-day operations and for the CPA to take over the business. Petitioner did not realize the business name was not properly registered. During the transition period, office staff did not deliver any mail to petitioner from the Board and he did not timely receive the Board's multiple investigation inquiries or the Accusation in order to respond, explain the circumstances, or request a hearing. Petitioner was persuasive that that he might have presented a defense to the Board's charges, or at least extenuating circumstances, if he had received the Accusation timely. When petitioner received the Decision he did not contest the revocation.

6. Petitioner established that he made attempts to contact the three clients involved in the 2005 tax complaints to make restitution for any losses they may have suffered. He was successful in reaching one client, referred to as R.R. in the Accusation, and could not locate the others. Petitioner owes R.R. the total sum of \$928.10, representing late interest assessed to the client from both the California Franchise Tax Board (\$169.16) and the Internal Revenue Service (\$758.94). Petitioner was remorseful and took responsibility for any harm to his clients as petitioner acknowledged he should have followed up with the new CPA and his staff. In addition, petitioner submitted proof of having taken and completed two continuing education courses in July 2010, Ethics for California CPAs and Tax Ethics for California CPAs.

7. The many references in support of petitioner include letters from former clients, longstanding friends and business associates, and fellow CPAs, as well as people from support groups petitioner has attended during his medical, emotional and psychological recovery from depression. All speak well of petitioner's high degree of professionalism integrity, and good character, and his recovery from difficult personal circumstances. Many wrote that petitioner has new-found enthusiasm and has given back to others through volunteer and community activities.

8. Petitioner established that his depression is stabilized and he is no longer on prescribed medications. He sees his doctor every other month, and also sees a psychiatrist every few weeks for support. In addition, Dr. Hong Duong wrote that petitioner's depression is under control.

9. Petitioner has worked as an electrician and plumber since the revocation of his license, and has come to realize how important his career as a CPA is to him. If re-licensed, petitioner plans to look for employment as a CPA for another company and has no interest in working for himself again. Petitioner is willing to pay the Board's investigative and prosecutorial costs of the case, to reimburse any client known to be harmed, and to take any educational courses ordered by the Board. Petitioner's sincerity and commitment reflect a strong attitude of rehabilitation.

10. Pursuant to the Board's Decision, the Board incurred costs in the total sum of \$5,417.72 for the investigation and enforcement of the case as of October 2007.

11. The Board is obligated to protect the public and the certificated profession, maintain integrity and high standards, and preserve public confidence in Board certification. The essential issue is whether petitioner presented sufficient evidence of rehabilitation to warrant re-licensure. Petitioner was clinically depressed and under the treatment of a physician, and failed to function to take care of his clients and his business. He established persuasive evidence that he has since stabilized his medical illness, made efforts to make amends to clients, and has progressed significantly in his rehabilitation and recovery. However, his progress should still be supervised for a period of probation, including taking further continuing education. Based on the foregoing, it is found that Petitioner has demonstrated sufficient rehabilitation so that re-licensure, under certain conditions, would not be against the public interest.

## LEGAL CONCLUSIONS

1. A person whose license has been revoked may petition the Board for reinstatement after one year from the effective date of the revocation, under Business and Professions Code section 5115 and under Government Code section 11522 of the Administrative Procedure Act.

2. In considering reinstatement of a revoked certificate, the Board refers to the criteria of rehabilitation set forth in California Code of Regulations, title 16, section 99.1. The criteria applicable to the current petition include the nature and severity of the acts or offenses; the time elapsed since those acts or offenses; the existence of further acts or offenses; and evidence of rehabilitation.

3. As set forth in Factual Findings 1 through 11, and Legal Conclusions 1 and 2, petitioner has demonstrated that, subject to the satisfaction of certain conditions precedent and terms of supervised probation, he is sufficiently rehabilitated to safely practice as a certified public accountant without undue risk of harm to the public. Cause therefore exists to reinstate his license as set forth below.

### ORDER

A. The Petition for Reinstatement of WILLIAM JOHN MATTILA is granted in that petitioner's license will be placed on probation for three years following proof of compliance with the following conditions precedent:

**1. Psychiatric Evaluation**

Within thirty (30) days of the effective date of this Decision, and on a periodic basis as may be required by the Board, petitioner shall undergo a psychiatric evaluation by a Board-appointed psychotherapist (psychiatrist or psychologist), to determine petitioner's ability to practice safely as a CPA, who shall furnish a psychological report to the Board. All costs shall be borne by petitioner.

If the psychotherapist recommends and the Board directs psychotherapeutic treatment, petitioner shall, within thirty (30) days of written notice of the need for psychotherapy, submit the name and qualification of one or more psychotherapists of petitioner's choice to the Board for its prior approval. Upon approval of the treating psychotherapist by the Board, petitioner shall undergo and continue psychotherapy during the probationary period until further notice from the board. Petitioner shall have the treating psychotherapist submit quarterly written reports to the Board. All costs shall be borne by petitioner.

**2. Continuing Education Courses**

Petitioner shall complete and provide proper documentation of at least 80 hours of qualifying professional education courses as described in California Code of Regulations, title 16, section 88, for continuing education, no later than 100 days from the effective date of this Decision.

3. **Client Reimbursement**

Petitioner shall make restitution in full to former client R.R. in the total sum of \$928.10, and submit proof of reimbursement acceptable to the Board.

B. Following completion of the above-described conditions precedent, petitioner's license will be reinstated, then immediately revoked. The revocation will be stayed and the license placed on probation for three years pursuant to the following terms and conditions:

1. **Supervised Practice**

Within 30 days of the date his license is reinstated on probationary status, petitioner shall submit to the Board or its designee for its prior approval a plan of practice that shall be monitored by another CPA or PA who shall provide periodic reports to the Board or its designee. Petitioner shall pay all costs for such monitoring.

2. **Cost Reimbursement**

Pursuant to the Board's 2007 Decision, petitioner shall reimburse the Board for its costs for the investigation and enforcement of this case in the total sum of \$5,417.72, pursuant to a payment plan approved by the Board. The payment plan shall commence within 30 days of the date petitioner's license is reinstated on probationary status and shall be completed within 24 months thereafter.

3. **Obey All Laws**

Petitioner shall obey all federal, California, other states' and local laws, including those rules relating to the practice of public accountancy in California.

4. **Submit Written Reports**

Petitioner shall submit, within 10 days of completion of each quarter, written reports to the Board on a form obtained from the Board. Petitioner shall submit, under penalty of perjury, such other written reports, declarations, and verification of actions as are required. These declarations shall contain statements relative to petitioner's compliance with all the terms and conditions of probation. Petitioner shall immediately execute all release of information forms as may be required by the Board or its representatives.

5. **Personal Appearances**

Petitioner shall, during the period of probation, appear in person at interviews/meetings as directed by the Board or its designated representatives, provided such notification is accomplished in a timely manner.

6. **Comply With Probation**

Petitioner shall fully comply with the terms and conditions of the probation imposed by the Board and shall cooperate fully with representatives of the California Board of Accountancy in its monitoring and investigation of petitioner's compliance with probation terms and conditions.

7. **Practice Investigation**

Petitioner shall be subject to, and shall permit, a practice investigation of petitioner's professional practice. Such a practice investigation shall be conducted by representatives of the Board, provided notification of such review is accomplished in a timely manner.

8. **Comply With Citations**

Petitioner shall comply with all final orders resulting from citations issued by the California Board of Accountancy.

9. **Tolling of Probation for Out-of-State Residence/Practice**

In the event petitioner should leave California to reside or practice outside this state, petitioner must notify the Board in writing of the dates of departure and return. Periods of non-California residency or practice outside the state shall not apply to reduction of the probationary period. No obligation imposed herein, including requirements to file written reports and to reimburse the Board costs, shall be suspended or otherwise affected by such periods of out-of-state residency or practice except at the written direction of the Board.

10. **Violation of Probation**

If petitioner violates probation in any respect, the Board, after giving petitioner notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or a petition to revoke probation is filed against petitioner during probation, the Board

shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

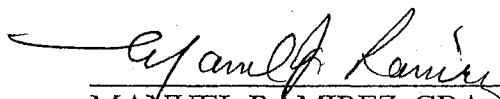
**11. Completion of Probation**

Upon successful completion of probation, petitioner's license will be fully restored.

This Decision shall become effective on October 19, 2010

DATED: October 19, 2010

CALIFORNIA BOARD OF ACCOUNTANCY

  
\_\_\_\_\_  
MANUEL RAMIREZ, CPA  
President

1 EDMUND G. BROWN JR., Attorney General  
of the State of California

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8 Attorneys for Complainant  
9

10 **BEFORE THE**  
11 **CALIFORNIA BOARD OF ACCOUNTANCY**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
13 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 WILLIAM JOHN MATTILA  
27758 Santa Margarita Parkway #402  
15 Mission Viejo, CA 92691

16 Certified Public Accountant No. 46705

17 Respondent.  
18

Case No. AC-2007-37

**DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

19 FINDINGS OF FACT

20 1. On or about August 14, 2007, Complainant Carol Sigmann, in her official  
21 capacity as the Executive Officer of the California Board of Accountancy, Department of  
22 Consumer Affairs, filed Accusation No. AC-2007-37 against William John Mattila (Respondent)  
23 before the California Board of Accountancy.

24 2. On or about December 5, 1986, the California Board of Accountancy  
25 (Board) issued Certified Public Accountant No. 46705 to Respondent. The Certified Public  
26 Accountant expired on November 1, 2006, and has not been renewed.

27 3. On or about August 22, 2007, Denise Hosman, an employee of the  
28 Department of Justice, served by Certified and First Class Mail a copy of the Accusation No.



1 AC-2007-37, Statement to Respondent, Notice of Defense, Request for Discovery, and  
2 Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record  
3 with the Board, which was and is 27758 Santa Margarita Parkway #402, Mission Viejo, CA  
4 92691. A copy of the Accusation, the related documents, and Declaration of Service are attached  
5 as Exhibit A, and are incorporated herein by reference.

6 4. Service of the Accusation was effective as a matter of law under the  
7 provisions of Government Code section 11505, subdivision (c).

8 5. Business and Professions Code section 118 states, in pertinent part:

9 "(b) The suspension, expiration, or forfeiture by operation of law of a license  
10 issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the  
11 board or by order of a court of law, or its surrender without the written consent of the board, shall  
12 not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the  
13 board of its authority to institute or continue a disciplinary proceeding against the licensee upon  
14 any ground provided by law or to enter an order suspending or revoking the license or otherwise  
15 taking disciplinary action against the license on any such ground."

16 6. Government Code section 11506 states, in pertinent part:

17 "(c) The respondent shall be entitled to a hearing on the merits if the respondent  
18 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the  
19 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
20 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

21 7. Respondent failed to file a Notice of Defense within 15 days after service  
22 upon him of the Accusation, and therefore waived his right to a hearing on the merits of  
23 Accusation No. AC-2007-37.

24 8. California Government Code section 11520 states, in pertinent part:

25 "(a) If the respondent either fails to file a notice of defense or to appear at the  
26 hearing, the agency may take action based upon the respondent's express admissions or  
27 upon other evidence and affidavits may be used as evidence without any notice to  
28 respondent."

9. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibits A and B, finds that the allegations in Accusation No. AC-2007-37 are true.

10. The total costs for investigation and enforcement are \$5,417.72 as of October 5, 2007. A copy of the Cost Certification is attached as Exhibit B, and is incorporated herein by reference.

## DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent William John Mattila has subjected his Certified Public Accountant No. 46705 to discipline.

2. A copy of the Accusation and the related documents and Declaration of Service are attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The California Board of Accountancy is authorized to revoke Respondent's Certified Public Accountant based upon the following violations alleged in the Accusation:

a. Respondent is subject to disciplinary action under Code section 5100(c) in that he was grossly negligent and committed repeated acts of negligence for not preparing income tax returns that he was engaged to prepare for clients T.T., R.R. and K.W.H., for the tax year 2005, and for failing to prepare an extension for client R.R.'s 2005 income tax returns as more specifically set forth in paragraphs 13-15 above and incorporated herein as though fully set forth. Clients T.T., R.R. and K.W.H. left telephone messages and mailed letters to Respondent requesting their completed income tax returns or the return of their tax records. Respondent never prepared the returns or returned the tax records to clients T.T., R.R. and K.W.H. As a result, clients T.T., R.R. and K.W.H. had to obtain duplicate copies of tax documentation in order to have their returns prepared by other tax preparers.

b. Respondent is subject to disciplinary action under Code section 5100(i), Article V of the AICPA Code of Professional Conduct and Treasury Circular 230

1 section 10.22 in that he breached his fiduciary responsibility to his clients when he failed  
2 to prepare income tax returns that he was engaged to prepare for clients T.T., R.R. and  
3 K.W.H., for the tax year 2005 and for failing to prepare an extension for client R.R.'s  
4 2005 income tax returns as more specifically set forth in paragraphs 13-15 in the  
5 Accusation and incorporated herein as though fully set forth.

6 c. Respondent is subject to disciplinary action under Code section  
7 5100(g) in that he failed to return clients T.T., R.R. and K.W.H.'s 2005 tax records  
8 despite their repeated requests by both telephone and written correspondence to return  
9 their tax documents as required by Code section 5037(b) and as set forth in paragraphs  
10 13-15 in the Accusation and incorporated herein as though fully set forth.

11 d. Respondent is subject to disciplinary action under Code section  
12 5100(g) in that he failed to return clients T.T., R.R. and K.W.H.'s 2005 tax records despite  
13 their repeated requests by both telephone and written correspondence to return their tax  
14 documents as required by CCR section 68 and as set forth in paragraphs 13-15 in the  
15 Accusation and incorporated herein as though fully set forth.

16 e. Respondent is subject to disciplinary action under Code section  
17 5100(g) in that he failed to respond to a Board inquiry as required in CCR section 52.  
18 Respondent failed to respond within 30 days to letters dated June 29, 2006, August 8,  
19 2006, August 9, 2006, and September 6, 2006 from an Investigative C.P.A. for the Board.

20 f. Respondent is subject to disciplinary action under Code section  
21 5100(g) in that he prepared income tax returns under the firm name of "Mattila and  
22 Associates, Inc.," which is not registered with the Board as required by Code section  
23 5060.

#### 24 ORDER

25 IT IS SO ORDERED that Certified Public Accountant No. 46705, heretofore  
26 issued to Respondent William John Mattila, is revoked.

27 Pursuant to Government Code section 11520, subdivision (c), Respondent may  
28 serve a written motion requesting that the Decision be vacated and stating the grounds relied on

1 within seven (7) days after service of the Decision on Respondent. The agency in its discretion  
2 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the  
3 statute.

4 This Decision shall become effective on December 26, 2007.

5 It is so ORDERED November 26, 2007

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7  
8 FOR THE CALIFORNIA BOARD OF ACCOUNTANCY  
9 DEPARTMENT OF CONSUMER AFFAIRS

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13 Attachments:

14 Exhibit A: Accusation No.AC-2007-37, Related Documents, and Declaration of Service  
15 Exhibit B: Certification of Costs: Declaration of Rita M. Lane

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9 Attorneys for Complainant

10 **BEFORE THE**  
**CALIFORNIA BOARD OF ACCOUNTANCY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. AC-2007-37

14 WILLIAM JOHN MATTLA  
27758 Santa Margarita Parkway #402  
15 Mission Viejo, CA 92691

**A C C U S A T I O N**

16 Certified Public Accountant Certificate No.  
46705

17 Respondent.  
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19 Complainant alleges:

20 **PARTIES**

21 1. Carol Sigmann (Complainant) brings this Accusation solely in her official  
22 capacity as the Executive Officer of the California Board of Accountancy (Board).

23 2. On or about December 5, 1986, the Board issued Certified Public  
24 Accountant Certificate Number 46705 to William John Mattila (Respondent). Said certificate  
25 expired and was not valid during the following time periods: November 1, 1996 through  
26 January 2, 1997, November 1, 1998 through November 29, 1998, November 1, 2000 through  
27 January 11, 2001, November 1, 2002 through April 28, 2003, and November 1, 2004 through  
28 October 10, 2005. Said certificate expired on November 1, 2006, and has not been renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Accountancy under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 5109 of the Code provides that the expiration of a license shall not deprive the Board of jurisdiction to commence or proceed with a disciplinary action against a licensee.

5. Section 5100 of the Code states:

After notice and hearing the board may revoke, suspend, or refuse to renew any permit or certificate granted under Article 4 (commencing with Section 5070) and Article 5 (commencing with Section 5080), or may censure the holder of that permit or certificate for unprofessional conduct that includes, but is not limited to, one or any combination of the following causes:

....

(c) Dishonesty, fraud, gross negligence, or repeated negligent acts committed in the same or different engagements, for the same or different clients, or any combination of engagements or clients, each resulting in a violation of applicable professional standards that indicate a lack of competency in the practice of public accountancy or in the performance of the bookkeeping operations described in Section 5052.

....

(g) Willful violation of this chapter or any rule or regulation promulgated by the board under the authority granted under this chapter.

....

(i) Fiscal dishonesty or breach of fiduciary responsibility of any kind.

6. Section 5037 states:

....

(b) A licensee shall furnish to his or her client or former client, upon request and reasonable notice:

(1) A copy of the licensee's working papers, to the extent that those working papers include records that would ordinarily constitute part of the client's records and are not otherwise available to the client.

(2) Any accounting or other records belonging to, or obtained from or on behalf of, the client which the licensee removed from the client's premises or received for the client's account. The licensee may make and retain copies of documents of the client when they form the basis for work done by him or her.

7. Section 5060 states:

(a) No person or firm may practice public accountancy under any name which is false or misleading.

(b) No person or firm may practice public accountancy under any name other than the name under which the person or firm holds a valid permit to practice issued by the board.

(c) Notwithstanding subdivision (b), a sole proprietor may practice under a name other than the name set forth on his or her permit to practice, provided the name is registered by the board, is in good standing, and complies with the requirements of subdivision (a).

8. Section 5107 of the Code provides for the recovery by the Board of its reasonable costs of investigation and prosecution, including attorney's fees, if respondent is found to have committed a violation of this chapter.

9. California Code of Regulations, title 16 (CCR), section 52 provides

(a) A licensee shall respond to any inquiry by the Board or its appointed representatives within 30 days. The response shall include making available all files, working papers and other documents requested.

10. CCR section 68 provides

A licensee, after demand by or on behalf of a client, for books, records or other data, whether in written or machine sensible form, that are the client's records shall not retain such records. Unpaid fees do not constitute justification for retention of client records.

Although, in general, the accountant's working papers are the property of the licensee, if such working papers include records which would ordinarily constitute part of the client's books and records and are not otherwise available to the client, then the information on those working papers must be treated the same as if it were part of the client's books and records.

## STANDARD OF PRACTICE

11. Article V - Due Care Section 56.04 of the AICPA Code of Professional Conduct states that members should be diligent in discharging responsibilities to clients, employers, and the public. Diligence imposes the responsibility to render services promptly and carefully, to be thorough, and to observe applicable technical and ethical standards.

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1                   12. Treasury Circular 230 section 10.22 states that each attorney, certified  
2 public accountant, or enrolled agent shall exercise due diligence:

3                   (a) In preparing, or assisting in the preparation of, approving, and filing  
4 returns, documents, affidavits, and other papers relating to Internal Revenue  
Service matters;

5                   (b) In determining the correctness of oral or written representations made  
6 by him to the Department of Treasury; and

7                   (c) In determining the correctness of oral or written representations made  
8 by him to clients with reference to any matter administered by the Internal  
Revenue Service.

9                   STATEMENT OF FACTS

10                  13. On June 26, 2006, client T.T. filed a complaint with the Board after he  
11 engaged Respondent to prepare his 2005 income tax returns; however to date, Respondent has  
12 failed to prepare the income tax returns or return client T.T.'s income tax documentation.

13                  14. On August 8, 2006, client R.R. filed a complaint with the Board after  
14 Respondent failed to prepare an extension on his 2005 income tax returns which caused client  
15 R.R. to incur federal and state penalties and interest because of Respondent's failure to do so.  
16 Respondent also failed to prepare client R.R.'s 2005 income tax returns or return client R.R.'s  
17 income tax documentation.

18                  15. On September 5, 2006, client K.W.H. filed a complaint with the Board  
19 after she engaged Respondent to prepare her joint 2005 income tax return; however to date, the  
20 return has not been completed nor has Respondent returned client K.W.H.'s records.

21                   FIRST CAUSE FOR DISCIPLINE

22                   (Gross Negligence and Repeated Negligent Acts)

23                  16. Respondent is subject to disciplinary action under Code section 5100(c) in  
24 that he was grossly negligent and committed repeated acts of negligence for not preparing  
25 income tax returns that he was engaged to prepare for clients T.T., R.R. and K.W.H., for the tax  
26 year 2005, and for failing to prepare an extension for client R.R.'s 2005 income tax returns as  
27 more specifically set forth in paragraphs 13-15 above and incorporated herein as though fully set  
28 forth. Clients T.T., R.R. and K.W.H. left telephone messages and mailed letters to Respondent



1 requesting their completed income tax returns or the return of their tax records. Respondent  
2 never prepared the returns or returned the tax records to clients T.T., R.R. and K.W.H. As a  
3 result, clients T.T., R.R. and K.W.H. had to obtain duplicate copies of tax documentation in  
4 order to have their returns prepared by other tax preparers.

5 SECOND CAUSE FOR DISCIPLINE

6 (Breach of Fiduciary Responsibility)

7 17. Respondent is subject to disciplinary action under Code section 5100(i),  
8 Article V of the AICPA Code of Professional Conduct and Treasury Circular 230 section 10.22  
9 in that he breached his fiduciary responsibility to his clients when he failed to prepare income tax  
10 returns that he was engaged to prepare for clients T.T., R.R. and K.W.H., for the tax year 2005  
11 and for failing to prepare an extension for client R.R.'s 2005 income tax returns as more  
12 specifically set forth in paragraphs 13-15 above and incorporated herein as though fully set forth.

13 THIRD CAUSE FOR DISCIPLINE

14 (Ownership of Accountants' Work Papers)

15 18. Respondent is subject to disciplinary action under Code section 5100(g) in  
16 that he failed to return clients T.T., R.R. and K.W.H.'s 2005 tax records despite their repeated  
17 requests by both telephone and written correspondence to return their tax documents as required  
18 by Code section 5037(b) and as set forth in paragraphs 13-15 above and incorporated herein as  
19 though fully set forth.

20 FOURTH CAUSE FOR DISCIPLINE

21 (Retention of Client's Records)

22 19. Respondent is subject to disciplinary action under Code section 5100(g) in  
23 that he failed to return clients T.T., R.R. and K.W.H.'s 2005 tax records despite their repeated  
24 requests by both telephone and written correspondence to return their tax documents as required  
25 by CCR section 68 and as set forth in paragraphs 13-15 above and incorporated herein as though  
26 fully set forth.

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1 FIFTH CAUSE FOR DISCIPLINE

2 (Response to Board Inquiry)

3 20. Respondent is subject to disciplinary action under Code section 5100(g) in  
4 that he failed to respond to a Board inquiry as required in CCR section 52. Respondent failed to  
5 respond within 30 days to letters dated June 29, 2006, August 8, 2006, August 9, 2006, and  
6 September 6, 2006 from an Investigative C.P.A. for the Board.

7 SIXTH CAUSE FOR DISCIPLINE

8 (Name of Firm)

9 21. Respondent is subject to disciplinary action under Code section 5100(g) in  
10 that he prepared income tax returns under the firm name of "Mattila and Associates, Inc.," which  
11 is not registered with the Board as required by Code section 5060.

12 PRAYER

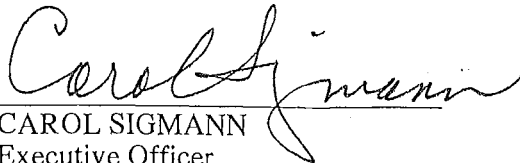
13 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
14 alleged, and that following the hearing, the Board issue a decision:

15 1. Revoking or suspending or otherwise imposing discipline upon Certified  
16 Public Accountant Certificate Number 46705, issued to William John Mattila;

17 2. Ordering William John Mattila to pay the Board the reasonable costs of  
18 the investigation and enforcement of this case pursuant to Business and Professions Code section  
19 5107; and

20 3. Taking such other and further action as deemed necessary and proper.

21  
22 DATED: August 14, 2007

23  
24   
25 CAROL SIGMANN  
26 Executive Officer  
27 California Board of Accountancy  
28 State of California  
Complainant